

Subpart A—General**§ 23.1 Applicability.**

(a) This part prescribes airworthiness standards for the issue of type certificates, and changes to those certificates, for airplanes in the normal, utility, acrobatic, and commuter categories.

(b) Each person who applies under Part 21 for such a certificate or change must show compliance with the applicable requirements of this part.

[Doc. No. 4080, 29 FR 17955, Dec. 18, 1964, as amended by Amdt. 23-34, 52 FR 1825, Jan. 15, 1987]

§ 23.2 Special retroactive requirements.

(a) Notwithstanding §§21.17 and 21.101 of this chapter and irrespective of the type certification basis, each normal, utility, and acrobatic category airplane having a passenger seating configuration, excluding pilot seats, of nine or less, manufactured after December 12, 1986, or any such foreign airplane for entry into the United States must provide a safety belt and shoulder harness for each forward- or aft-facing seat which will protect the occupant from serious head injury when subjected to the inertia loads resulting from the ultimate static load factors prescribed in §23.561(b)(2) of this part, or which will provide the occupant protection specified in §23.562 of this part when that section is applicable to the airplane. For other seat orientations, the seat/restraint system must be designed to provide a level of occupant protection equivalent to that provided for forward- or aft-facing seats with a safety belt and shoulder harness installed.

(b) Each shoulder harness installed at a flight crewmember station, as required by this section, must allow the crewmember, when seated with the safety belt and shoulder harness fastened, to perform all functions necessary for flight operations.

(c) For the purpose of this section, the date of manufacture is:

(1) The date the inspection acceptance records, or equivalent, reflect that the airplane is complete and meets the FAA approved type design data; or

(2) In the case of a foreign manufactured airplane, the date the foreign civil airworthiness authority certifies the airplane is complete and issues an original standard airworthiness certificate, or the equivalent in that country.

[Amdt. 23-36, 53 FR 30812, Aug. 15, 1988]

§ 23.3 Airplane categories.

(a) The normal category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for nonacrobatic operation. Nonacrobatic operation includes:

(1) Any maneuver incident to normal flying;

(2) Stalls (except whip stalls); and

(3) Lazy eights, chandelles, and steep turns, in which the angle of bank is not more than 60 degrees.

(b) The utility category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for limited acrobatic operation. Airplanes certificated in the utility category may be used in any of the operations covered under paragraph (a) of this section and in limited acrobatic operations. Limited acrobatic operation includes:

(1) Spins (if approved for the particular type of airplane); and

(2) Lazy eights, chandelles, and steep turns, or similar maneuvers, in which the angle of bank is more than 60 degrees but not more than 90 degrees.

(c) The acrobatic category is limited to airplanes that have a seating configuration, excluding pilot seats, of nine or less, a maximum certificated takeoff weight of 12,500 pounds or less, and intended for use without restrictions, other than those shown to be necessary as a result of required flight tests.

(d) The commuter category is limited to propeller-driven, multiengine airplanes that have a seating configuration, excluding pilot seats, of 19 or less, and a maximum certificated takeoff weight of 19,000 pounds or less. The commuter category operation is limited to any maneuver incident to normal flying, stalls (except whip stalls),

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and steep turns, in which the angle of bank is not more than 60 degrees.

(e) Except for commuter category, airplanes may be type certificated in more than one category if the requirements of each requested category are met.

[Doc. No. 4080, 29 FR 17955, Dec. 18, 1964, as amended by Amdt. 23-4, 32 FR 5934, Apr. 14, 1967; Amdt. 23-34, 52 FR 1825, Jan. 15, 1987; 52 FR 34745, Sept. 14, 1987; Amdt. 23-50, 61 FR 5183, Feb. 9, 1996]

Subpart B—Flight

GENERAL

§ 23.21 Proof of compliance.

(a) Each requirement of this subpart must be met at each appropriate combination of weight and center of gravity within the range of loading conditions for which certification is requested. This must be shown—

(1) By tests upon an airplane of the type for which certification is requested, or by calculations based on, and equal in accuracy to, the results of testing; and

(2) By systematic investigation of each probable combination of weight and center of gravity, if compliance cannot be reasonably inferred from combinations investigated.

(b) The following general tolerances are allowed during flight testing. However, greater tolerances may be allowed in partacted tests:

Item	Tolerance
Weight	+5%, -10%.
Critical items affected by weight	+5%, -1%.
C.G	±7% total travel.

§ 23.23 Load distribution limits.

(a) Ranges of weights and centers of gravity within which the airplane may be safely operated must be established. If a weight and center of gravity combination is allowable only within certain lateral load distribution limits that could be inadvertently exceeded, these limits must be established for the corresponding weight and center of gravity combinations.

(b) The load distribution limits may not exceed any of the following:

(1) The selected limits;

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(2) The limits at which the structure is proven; or

(3) The limits at which compliance with each applicable flight requirement of this subpart is shown.

[Doc. No. 26269, 58 FR 42156, Aug. 6, 1993]

§ 23.25 Weight limits.

(a) *Maximum weight.* The maximum weight is the highest weight at which compliance with each applicable requirement of this part (other than those complied with at the design landing weight) is shown. The maximum weight must be established so that it is—

(1) Not more than the least of—

(i) The highest weight selected by the applicant; or

(ii) The design maximum weight, which is the highest weight at which compliance with each applicable structural loading condition of this part (other than those complied with at the design landing weight) is shown; or

(iii) The highest weight at which compliance with each applicable flight requirement is shown, and

(2) Not less than the weight with—

(i) Each seat occupied, assuming a weight of 170 pounds for each occupant for normal and commuter category airplanes, and 190 pounds for utility and acrobatic category airplanes, except that seats other than pilot seats may be placarded for a lesser weight; and

(A) Oil at full capacity, and

(B) At least enough fuel for maximum continuous power operation of at least 30 minutes for day-VFR approved airplanes and at least 45 minutes for night-VFR and IFR approved airplanes; or

(ii) The required minimum crew, and fuel and oil to full tank capacity.

(b) *Minimum weight.* The minimum weight (the lowest weight at which compliance with each applicable requirement of this part is shown) must be established so that it is not more than the sum of—

(1) The empty weight determined under § 23.29;

(2) The weight of the required minimum crew (assuming a weight of 170 pounds for each crewmember); and

(3) The weight of—

(i) For turbojet powered airplanes, 5 percent of the total fuel capacity of